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BOARD OF SUPERVISORS

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ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

26 July 31, 2012

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

July 31, 2012

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**AUTHORIZATION TO EXECUTE SOLE SOURCE AGREEMENTS AND A MASTER AGREEMENT
WORK ORDER, AND APPROVE 30 NEW POSITIONS TO SUPPORT THE REDUCING
CHILDHOOD OBESITY IN LOS ANGELES PROJECT FOR THE TERM OF JULY 1, 2012
THROUGH JUNE 30, 2016
(ALL SUPERVISORIAL DISTRICTS)
(3 VOTES)**

SUBJECT

Provide authorization to execute two sole source agreements and a master agreement work order for the provision of temporary personnel services; and approve 30 new County positions, subject to allocation, to support the Reducing Childhood Obesity in Los Angeles County project for the term of July 1, 2012 through June 30, 2016.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Delegate authority to the Director of the Department of Public Health (DPH), or his designee, to execute sole source agreements with the Child Care Resource Center (CCRC) for an estimated total maximum obligation of \$4,500,000 and ChangeLab Solutions for an estimated total maximum obligation of \$200,000, 100 percent funded by the Los Angeles County Children and Families First – Proposition 10 Commission (First 5 LA) award, currently anticipated to be before your Board on July 31, 2012, for the Reducing Childhood Obesity in Los Angeles County project (Project), effective upon date of execution through June 30, 2016, subject to review and approval by County Counsel, review and approval of any modifications or amendments to standard County insurance and indemnification provisions by the Chief Executive Office (CEO) Risk Management (RM) Operations, and notification to your Board and the CEO.

2. Delegate authority to the Director of DPH, or his designee, to execute amendments to the above-referenced agreements that allow for the rollover of unspent funds; adjust the term of the agreements through December 31, 2016; and/or provide an increase or a decrease in funding up to 25 percent above or below each term's annual base maximum obligation, effective upon amendment execution or at the beginning of the applicable agreement term, subject to review and approval by County Counsel, and notification to your Board and the CEO.

3. Delegate authority to the Director of DPH, or his designee, to execute a Master Agreement Work Order (MAWO) for the provision of temporary personnel services for the Project effective date of execution and pursuant to your Board's approval through January 31, 2014 at a total maximum obligation not to exceed \$4,260,000, contingent upon the availability of First 5 LA grant funds, and subject to review and approval by County Counsel, and notification to your Board and the CEO.

4. Approve 30 new Full Time Equivalent (FTE) positions, identified in Exhibit I, in excess of that which is provided for in the DPH staffing ordinance pursuant to Section 6.06.020 of the County Code, and subject to allocation by the CEO. All 30 positions are 100 percent funded by the First 5 LA award to provide programmatic, administrative, and managerial services to support the grant's goals and objectives. Twelve of the 30 positions will be filled for the four year term of the Project while the remaining 18 will be filled during years three and four of the Project to continue the work performed by the temporary personnel referenced in Recommendation 3 after the MAWO expires.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approval of Recommendation 1 will allow DPH to execute sole source agreements with CCRC and ChangeLab Solutions. CCRC will oversee the implementation of countywide strategies to improve the nutrition and physical activity environments in licensed and license-exempt child care settings, serving as the fiscal and lead agency for the Child Care Alliance (Alliance), a network of 11 child care service agencies. All Alliance members have indicated support of CCRC as the fiscal and lead agency because it alone has the infrastructure and established research and evaluation experience required to accomplish the Project's goals and objectives.

CCRC will distribute funds among all Alliance member agencies via a series of Memoranda of Understanding or subcontracts, at amounts to be agreed upon by DPH, CCRC, and the agency, based upon variables such as size of geographic region, number of child care providers/families served by the agency, and level of services provided, as estimated in Exhibit II. CCRC and the Alliance will work with DPH to determine the most effective allocation of funding to the various Alliance partner agencies to ensure an efficient use of Project resources and allow successful execution of the scope of work county-wide. CCRC and the other Alliance agencies will provide workshops for licensed child care providers toward development of healthier nutrition and physical activity policies and practices.

ChangeLab Solutions will conduct legal research and analysis of model city and county policies, and other recommended local strategies to produce a report outlining legally-feasible strategies that can be adopted on a local level to reduce the promotion of unhealthy foods and beverages to young children. ChangeLab Solutions is the only National Public Health Law Center of Excellence specializing in nutrition issues based in California. Knowledge of California law is required to develop strategies for local implementation.

Recommendation 2 will enable DPH to execute amendments to extend and/or adjust the term of the two agreements; rollover unspent funds; and/or increase or decrease funding up to 25 percent above or below the annual base maximum obligation, effective upon amendment execution or at the beginning of the applicable agreement term. This recommended action will enable DPH to amend agreements to adjust the term for a period of up to six months beyond the expiration date. Such amendments will only be executed if and when there is an unanticipated extension of the term of the applicable award funding to allow additional time to complete services and utilize award funding. This authority is being requested to enhance DPH's efforts to expeditiously maximize award revenue, consistent with Board Policy 4.070: Full Utilization of Grant Funds.

Recommendation 3 will allow DPH to execute a MAWO for the Project to support up to 22 temporary contract personnel. These personnel will provide coordination, nutrition, physical activity, and other specialized programmatic services that are of a professional, technical, and/or temporary nature that will contribute to DPH efforts to prevent childhood obesity among children under five years of age. DPH will utilize the temporary personnel master agreements approved by your Board on October 19, 2010. Upon termination of the MAWO, 18 of the 22 items will be transitioned to County temporary "N" items requested under Recommendation 4.

Recommendation 4 will authorize DPH to fill 30 positions identified in Exhibit I, Priorities I and II. The 12 priority I positions will be filled for the entire four-year term of the Project. These positions will provide essential programmatic, administrative, and managerial services to support the Project's overall goals and objectives. The 18 priority II positions will be filled upon expiration of the MAWO to institutionalize the technical work to be completed by the temporary personnel. This will allow DPH to build the infrastructure needed to address long term solutions for reducing childhood obesity in Los Angeles County. All 30 items will be allocated as temporary "N" items and, should the First 5 LA funds expire, DPH will mitigate the loss by identifying other revenue sources or transferring personnel to other funded projects.

Implementation of Strategic Plan Goals

The recommended actions support Goal 3, Integrated Services Delivery, of the County's Strategic Plan.

FISCAL IMPACT/FINANCING

All costs associated with these actions are 100 percent offset by First 5 LA funding, currently anticipated to be before your Board on July 31, 2012, to support this Project at an estimated amount of \$41,197,400 for the term of July 1, 2012 through June 30, 2016. Of this amount, an estimated \$32,985,230 will support contractual costs consisting of \$4,500,000 for CCRC; \$200,000 for ChangeLab Solutions; \$4,260,000 for a temporary personnel MAWO; and \$24,025,230 for seven solicitations to be conducted within the next 24 months. An estimated \$8,212,170 will be utilized to support DPH costs associated with this Project (personnel, services and supplies, and indirect costs).

DPH will request Appropriation Authority in the Supplemental Budget Request for fiscal year (FY) 2012-13. Funding will be included in future FYs, as necessary.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

On July 31, 2012, the CEO will recommend that your Board authorize acceptance and execution of a multi-project, multi-year Agreement with First 5 LA to fund program services in the approximate amount of \$87,300,000. Of this amount, \$41,197,400 will be allocated to DPH to support the development and implementation of the Reducing Childhood Obesity in Los Angeles County project.

The Project is a coordinated and integrated approach to reduce childhood obesity among children under five years of age by conducting obesity interventions in three distinct settings: 1) community settings, wherein public education and a skills-building campaign are implemented to reach underserved communities and to increase community capacity to promote long term sustainable change in healthy eating and active living practices; 2) child care settings, wherein First 5 LA's previous investment in the Sesame Street Healthy Habits for Life pilot study will be utilized to improve nutrition and physical activity; and 3) interconception health to provide resources and individual support to mothers in the areas of nutrition, physical activity, and stress reduction in between the end of a pregnancy period and the beginning of the next one.

The Project represents collaboration between the DPH Division of Chronic Disease and Injury Prevention (CDIP) and Maternal, Child, and Adolescent Health Programs (MCAH) to implement an intensive community-based public education and skills-building project to promote physical activity and healthy eating habits to one million children ages 0 to 5 and their families. This will include the formation of a Steering Committee comprised of key stakeholders that will serve in an advisory capacity. These stakeholders will include, but are not limited to: nutrition and physical activity researchers, academics, and professionals; community service providers; DPH area health officers; representatives from the Office of the Board of Supervisors; representatives from First 5 LA and other First 5 LA initiatives; the Department of Children and Family Services and other County departments; Women, Infants, and Children (WIC) agencies; health insurance providers; medical providers; and members of the business community. Members will share their expertise to help guide the direction of the Project to deliver culturally-tailored nutrition and physical activity education.

As required under Board Policy 5.120, your Board was notified on May 9, 2012 of DPH's request to increase or decrease funding up to 25 percent above or below the annual base maximum obligation. Concurrently, your Board was notified of DPH's intent to negotiate a sole source agreement in an amount greater than \$250,000, pursuant to Board Policy 5.100.

Exhibit I is a list of the requested County personnel items. Exhibit II is a list of Child Care Alliance members with an estimated total allocation for each. Attachments A and B are the sole source checklists.

CONTRACTING PROCESS

Upon your Board's approval, DPH will execute sole source agreements with CCRC and ChangeLab Solutions. CCRC is a member of the Alliance and one of the resource and referral (R&R) agencies in Los Angeles County funded by the Department of Education, Child Development Division to assist families in locating child care providers and deliver training and resources to the providers to enhance the quality of child development services. CCRC will serve as the lead fiscal and programmatic agent, as endorsed by the other Alliance members, to ensure that funding and resources are appropriately distributed and workshops are conducted in all Service Planning Areas (SPA) in Los Angeles County.

CCRC will sub-contract with all child care service agencies that elect to participate in the Project and have equal access to provide services and workshops. Through a combination of strategies including multi-participant workshops, on-site coaching, and technical assistance, services will be provided to at least 8,000 licensed and license-exempt child care providers countywide. These services will educate child care providers on how to incorporate evidence-based, health-promoting nutrition and physical activity policies and procedures into their daily practice. CCRC will also provide ongoing technical assistance to the agencies and assist DPH with evaluation activities. In collaboration with DPH, CCRC will allocate and distribute funding to each participating agency based on the number of child care providers in each agency's geographic region and the level of service provided.

ChangeLab Solutions is a team of attorneys and policy analysts with expertise in creating tools, strategies, and policies to build healthier communities. It is one of only several National Public Health Law Centers of Excellence specializing in nutritional issues and the only one in California. ChangeLab Solutions will use its considerable expertise in First Amendment law, food systems policy, and food industry marketing practices in California to generate a report recommending local strategies to reduce the marketing of unhealthy foods and beverages to young children. The recommendations will be presented to your Board as well as local city councils for consideration for implementation. ChangeLab Solutions will also provide technical assistance to jurisdictions interested in implementing any of the recommendations.

In addition to the activities described herein, DPH will conduct an estimated seven solicitations within the next 24 months totaling an estimated \$24,025,230 to be funded by the First 5 LA award. These include solicitations: 1) eight community-based organizations (one in each SPA) to promote physical activity and healthy eating through nutrition education efforts and interventions that involve other agencies serving families and their young children, grocery stores, healthcare providers, and restaurants at an estimated \$17,880,000; 2) Promotoras to disseminate information on healthy eating and active living at an estimated \$349,275; 3) implementation of an evidence-based weight management toolkit that will include trainings and support for postpartum women and collaboration with WIC offices at an estimated \$499,150; 4) development of a user-friendly website and social media to provide healthy eating and physical activity resources, educational materials, and peer-to-peer support for postpartum women at an estimated \$2,563,000; 5) a child nutrition and physical activity consultant to identify best-practice models and curriculum development for R&R agencies to implement in child care settings for an estimated \$162,440; 6) media services to conduct a targeted public education campaign to promote healthy eating and active living at an estimated \$2,021,315; and 7) project evaluation services at an estimated \$550,050.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Approval of the recommended actions will provide for the effective and timely implementation of the Project to reduce the toll of childhood obesity and associated disparities by strengthening and building practice-based linkages to reach and transform multiple sectors within the community, government, and health care.

The Honorable Board of Supervisors

7/31/2012

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jonathan E. Fielding". The signature is written in a cursive style with a large initial "J" and "F".

JONATHAN E. FIELDING, M.D., M.P.H.

Director and Health Officer

JEF:am:ev

Enclosures

c: Chief Executive Officer
County Counsel
Executive Officer, Board of Supervisors

COUNTY PERSONNEL FULL TIME EQUIVALENTS**Priority I (12 Full Time Equivalents [FTE]) Positions)**

- 1. Physician Specialist – 1 FTE**
This position will serve as the designated medical director who supervises staff and oversees the day-to-day operation of the Clinical and Other Preventive Services program under Division of Chronic Disease and Injury Prevention (CDIP).
- 2. Program Specialist, Public Health Nurse – 1 FTE**
This position will lead the research and development of educational and assessment materials as well as the teaching curriculum for the postpartum toolkit under interconception health care component of the Project.
- 3. Staff Analyst, Health – 1 FTE**
This position will develop annual financial plans for the expenditure of funds, monitor performance consistent with these plans, and prepare summaries of financial activities for First 5 documentation and reporting requirements.
- 4. Contract Program Auditor- 2 FTE**
These positions will audit, evaluate services, and conduct detailed inspections of contractors during on-site visits, one under Maternal, Child, and Adolescent Health Programs (MCAH) and one under CDIP.
- 5. Staff Assistant II – 1 FTE**
This position will support the day-to-day operation of the Project, under MCAH, performing general administrative duties such as scheduling and supporting events, preparing travel and mileage claims, and purchasing requests.
- 6. Research Analyst III – 2 FTEs**
These positions will engage in data collection activities, as well as assist in the design, planning, and implementation of evaluation, under MCAH.
- 7. Health Program Analyst III – 1 FTE**
This position serves as the Project Director for the child care settings component of the Project, responsible for oversight, planning and implementation activities.
- 8. Health Program Analyst II – 1 FTE**
This position will serve as the Assistant Project Director for the child care settings component of this Project, assisting the Project Director in coordinating and implementing key project activities.

COUNTY PERSONNEL FULL TIME EQUIVALENTS**9. Health Program Analyst I – 1 FTE**

This position serves as the Project Assistant for the interconception health care component, assisting in planning, development, implementation, and evaluation of the Project.

10. Administrative Infrastructure: Administrative Service Manager II (contracts) – 1 FTE

The position will provide assistance in development of letters and memoranda to the Board of Supervisors (Board), oversee solicitation processes, and facilitate execution of grants and other relevant documents.

Priority II (18 FTE positions)**11. Senior Staff Analyst - 1 FTE**

This position will serve as the Project Director for the community settings component of the Project, under CDIP, and will be responsible for directing and overseeing all day-to-day operations and project activities

12. Staff Analyst – 2 FTEs

One position will serve as the Special Programs Coordinator, providing oversight and direction related to special projects that support the objectives.

One position will serve as Chief of Operations, under CDIP, and will be responsible for planning, coordinating, and implementing financial and fiscal requirements to ensure compliance with applicable rules and regulations in accordance with County and DPH protocols, and all appropriate regulatory agencies.

13. Health Program Analyst I – 1 FTE

This position will serve as the Assistant Communications Manager, responsible for supporting the implementation of a communications plan that involves written, spoken, and electronic messaging for obesity prevention under CDIP.

14. Health Program Analyst III – 2 FTEs

One position will serve as the Senior Program Analyst under CDIP, responsible for oversight of contractors and consultant, as well as helps direct daily operation and administration of the First 5 initiative

One position will serve as the Food Industry Liaison under CDIP responsible for managing food marketing and health eating campaign among restaurants and affiliated associations to reduce exposure to negative food marketing and increase access to health foods for the community settings intervention of the Project.

COUNTY PERSONNEL FULL TIME EQUIVALENTS**15. Health Program Analyst II – 7 FTEs**

Four positions will manage project activities, under CDIP, participating in the nutrition and physical activity program development process among First 5 partners, developing resources and providing technical assistance to enhance collaboration with partners.

One position will serve as a Healthcare Liaison under the Community Settings component of the Project, managing project activities related to working with healthcare professionals.

One position will serve as the Legal Policy Analyst under CDIP supporting the development of a commissioned report on options to reduce the marketing of unhealthy foods and beverages to 0-5 children and provides guidance on conducting outreach on the findings to policymakers, government officials, and community organizations.

One position will serve as the Communication Manager to develop and implement the First 5 LA community settings communications plan involving written, spoken and electronic messaging for obesity prevention efforts under CDIP.

16. Graphic Artist – 1 FTE

This position will be responsible for the creation of printed and online visual design for advertising, marketing, and communications that integrates brand guidelines of the obesity prevention under CDIP.

17. Research Analyst II – 1 FTE

This position will develop qualitative and quantitative instruments to measure changes in environment, select realistic and achievable processes and outcome measures, and conduct data collection, analysis and logic modeling.

18. Senior Secretary III – 1 FTE

This position will serve as Office Manager and provide secretarial support to the Project Director, supporting the administrative needs under the community settings component of the Project.

19. Administrative Assistant II – 2 FTEs

These positions will serve as Fiscal Analysts and assist in developing guidelines, standards and procedures for the evaluation of contracts and for fiscal and administrative processes for Project under CDIP.

**COUNTY OF LOS ANGELES – DEPARTMENT OF PUBLIC HEALTH
DIVISION OF CHRONIC DISEASE AND INJURY PREVENTION
MATERNAL, CHILD, AND ADOLESCENT HEALTH**

**FIRST 5 LA – REDUCING EARLY CHILDHOOD OBESITY
IN LOS ANGELES COUNTY PROJECT**

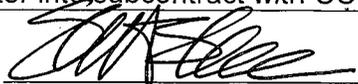
CHILD CARE ALLIANCE MEMBER AGENCIES

| NAME OF AGENCY | MAIN OFFICE ADDRESS | ESTIMATED TOTAL ALLOCATION | DISTRICTS SERVED |
|---|---|---|-----------------------------|
| Child Care Resource Center | 20001 Prairie Street Chatsworth, CA 91311 | \$1,282,402 | 3,5 |
| Child Care Alliance of Los Angeles | 1225 W. 190th Street, Suite 325 Gardena, CA 90248 | \$739,175 | All |
| City of Norwalk, Social Services Department | 11929 Alondra Blvd. Norwalk, CA 90650 | \$80,345 | 2, 4 |
| Connections for Children | 2701 Ocean Park Blvd., Ste. 253 Santa Monica, CA 90405 | \$372,898 | 2, 3, 4 |
| Crystal Stairs, Incorporated | 5110 W. Goldleaf Cir., Ste. 150 Los Angeles, CA 90056 | \$372,898 | 1, 2, 4 |
| Drew Child Development Corporation | 1770 E. 118th Street Los Angeles, CA 90059 | \$80,345 | 1, 2 |
| International Institute for Los Angeles | 3845 Selig Place Los Angeles, CA 90031 | \$80,345 | 1 |
| Mexican American Opportunity Foundation | 972 S. Goodrich Blvd. Los Angeles, CA 90022 | \$372,898 | 1 |
| Options – A Child Care and Human Services Agency | 13100 Brooks Drive, Suite 100 Baldwin Park, CA 91706 | \$372,989 | 1, 3, 4, 5 |
| Pathways | 3550 W. 6 th Street, #500 Los Angeles, CA 90020 | \$372,898 | All |
| Pomona Unified School District | 1460 E. Holt Ave., Suite #130 Pomona, CA 91767 | \$372,898 | 1, 4, 5 |
| | ESTIMATED TOTAL: | \$4,500,000 | |

**SOLE SOURCE CHECKLIST
ChangeLab Solutions**

| Check (✓) | <p align="center">JUSTIFICATION FOR SOLE SOURCE PROCUREMENT OF SERVICES</p> <p align="center"><i>Identify applicable justification and provide documentation for each checked item.</i></p> |
|--|--|
| | <ul style="list-style-type: none"> ➤ Only one bona fide source for the service exists; performance and price competition are not available. |
| | <ul style="list-style-type: none"> ➤ Quick action is required (emergency situation) |
| | <ul style="list-style-type: none"> ➤ Proposals have been solicited but no satisfactory proposals were received |
| | <ul style="list-style-type: none"> ➤ Additional services are needed to complete an ongoing task and it would be prohibitively costly in time and money to seek a new service provider. |
| | <ul style="list-style-type: none"> ➤ Maintenance service agreements exist on equipment which must be serviced by the authorized manufacturer's service representatives. |
| | <ul style="list-style-type: none"> ➤ It is most cost-effective to obtain services by exercising an option under an existing contract. |
| | <ul style="list-style-type: none"> ➤ It is the best interest of the County (e.g., administrative cost savings, too long a learning curve for a new service provider, etc.) |
| ✓ | <ul style="list-style-type: none"> ➤ Other reason. Please explain: |
| <p>Justification: A competitive solicitation is not indicated because ChangeLab Solutions is the only qualified vendor. They are one of only several National Public Health Law Centers of Excellence specializing in nutrition issues, and the only one in California. The project requires knowledge of California law to develop recommended strategies for local cities in the County to reduce food marketing to young children.</p> | |
| | <div style="display: flex; justify-content: space-between;"> <div style="text-align: center;">  <hr style="width: 80%; margin: 0 auto;"/> <p>Sheila Shima Deputy Chief Executive Officer, CEO</p> </div> <div style="text-align: center;"> <p>7/5/12</p> <hr style="width: 80%; margin: 0 auto;"/> <p>Date</p> </div> </div> |

SOLE SOURCE CHECKLIST
Child Care Resource Center

| Check (✓) | JUSTIFICATION FOR SOLE SOURCE PROCUREMENT OF SERVICES |
|---|---|
| | <i>Identify applicable justification and provide documentation for each checked item.</i> |
| | ➤ Only one bona fide source for the service exists; performance and price competition are not available. |
| | ➤ Quick action is required (emergency situation) |
| | ➤ Proposals have been solicited but no satisfactory proposals were received |
| | ➤ Additional services are needed to complete an ongoing task and it would be prohibitively costly in time and money to seek a new service provider. |
| | ➤ Maintenance service agreements exist on equipment which must be serviced by the authorized manufacturer's service representatives. |
| | ➤ It is most cost-effective to obtain services by exercising an option under an existing contract. |
| | ➤ It is the best interest of the County (e.g., administrative cost savings, too long a learning curve for a new service provider, etc.) |
| ✓ | <p>➤ Other reason. Please explain: There is no other strategic network of resource and referral agencies in Los Angeles County providing the access to child care providers to implement the requirements of the First 5 LA Obesity grant.</p> |
| <p>Justification: Child Care Resource Center (CCRC) will serve as the lead fiscal and programmatic agency to provide training to child care providers throughout Los Angeles County via subcontracts with the Child Care Alliance of Los Angeles (Alliance) member organizations. A letter endorsed by all Alliance member agencies indicates their preference and support that CCRC be the lead agency and fiscal conduit on their behalf, because CCRC has the infrastructure and established research and evaluation experience required to accomplish the goals and objectives of this grant. Funding will be distributed to all member organizations representing all districts in the County. There is one resource and referral agency that is not a member of the Alliance, and unlike the Alliance, only provides services in their area of the County and does not represent the strategic partnership capable of providing training to child care providers countywide. Furthermore, in discussions with this agency, they have indicated that although they will be cooperating with efforts to provide contracted services in their service area, they have no interest in participating directly. However, should this agency desire to participate at a later time, a mechanism will be put into place to ensure they can enter into subcontract with CCRC.</p> | |
| |  _____ Sheila Shima Deputy Chief Executive Officer, CEO |
| | 7/5/12 _____ Date |